

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 05/05/2010 has been entered.

Allowable Subject Matter

2. Claims 1-21, 23-24 and 26-48 are allowed.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 2: line 1, change "claim 2" to -claim 1-.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

Regarding the independent Claims 1 and 26, the Prior Art of record fails to anticipate or to make obvious a method and a computer-readable storage medium encoded with executable instructions for execution by a processor to remove a red eye from an image, the instructions

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comprising calculating a weighted red value for each pixel in the image, wherein the weight red value for a pixel is based on (1) red, green, and blue color values of the pixel and (2) a luminance value of the pixel, and the luminance value is a weighted sum of the red, the green, and the blue color values of the pixel; selecting a plurality of pixels in the image having weighted red values greater than a threshold as red eye pixels; and correcting the red eye pixels to remove the red eye from the image.

Claims 2-21 and 27-46 are allowed as being dependent on the allowed claims 1 and 26, respectively.

Regarding the independent Claims 23 and 47, the Prior Art of record fails to anticipate or to make obvious a method and a computer-readable storage medium encoded with executable instructions for execution by a processor to remove a red eye from an image, the instructions comprising calculating a weighted red value for each pixel in the image from a luminance, a red chrominance, and a blue

chrominance values of the pixel in the image, comprising:

$f_1 = [1.41514(Cr-128)+1.23014(Cb-128)]/Y$ wherein f_1 is the weighted red value, Cr is the red chrominance value, Cb is the blue chrominance value, and Y is the luminance value; selecting a plurality of pixels in the image having weighted red values greater than a threshold as red eye pixels; and correcting the red eye pixels in the image.

Claims 24 and 48 are allowed as being dependent on the allowed claims 23 and 47, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is (571)272-7320.

The examiner can normally be reached on Mon. - Fri. from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ngoc-Yen T. VU/

Primary Examiner, Art Unit 2622

05/24/2010